

Jorge Alejandro Rojas
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Plaintiff in Pro Se
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JORGE ALEJANDRO ROJAS,
Plaintiff,
v.
UNPLUGGED MEDIA, LLC, et al,
Defendants.

Case No. 2:23-cv-02667-AH-KS

District Judge Anne Hwang
Magistrate Judge Karen L. Stevenson

**REQUEST FOR ELECTRONIC
APPEARANCE VIA ZOOM**

Hearing: May 7, 2025, 1:30 PM

Plaintiff, Jorge Alejandro Rojas, pursuant to this Court's Requirements and Procedures, respectfully requests the ability to attend the May 7, 2025 Hearing on Plaintiff's Motion for Default Judgment (Dkts. 99, 106) via Zoom.

Pursuant to L.R. 7-3, Plaintiff attempted to confer with all Defendants to appear electronically both when seeking conferral on the motion for default judgment and after the Court continued the hearing to May 7, 2025 but did not receive a response. Plaintiff most recently attempted to confer by emailing Bykhovsky on April 14, 2025, and mailing conferral letters to each defendant's last known address on April 16, 2025, and did not receive any response. All defendants are in default and Plaintiff is unaware of counsel for any.

1 Plaintiff commenced this action under the Telephone Consumer Protection Act, 47
2 U.S.C. § 227, initially naming Defendants which have since been dismissed with prejudice.
3 The operative complaint names two corporate entities (Unplugged Media, LLC and Alex
4 Gold Holdings, LLC) managed by Alexander Bykhovsky, and two corporate entities (Chris
5 Biz Services LLC, as separate Wyoming, and Texas entities) managed by Christopher
6 Cuenza and was filed in this District in part because Plaintiff was visiting family in this
7 District when he received one of the telephone calls at issue in this action.

8 Mr. Bykhovsky claims to be in Panama. He has represented that to Plaintiff (Dkt.
9 25-1 ¶ 3) as well as in this Court's filings (Dkt. 46 p. 2), although in at least one filing he
10 has stated that he is in Puerto Rico (Dkt. 40 p. 2). Plaintiff believes that Bykhovsky is in
11 fact in Puerto Rico. Defendant Cuenza is upon information and belief within this District
12 – he was served while in it.

13 Defendant Bykhovsky at one point appeared (Dkt. 40) and filed a motion to dismiss
14 and set aside the default (Dkt. 46). Ultimately, Bykhovsky made no additional filings and
15 did not respond to the Second Amended Complaint, so default pursuant to Fed. R. Civ. P.
16 55(a) was again entered on September 23, 2024 (Dkt. 77).

17 Now pending before the Court is Plaintiff's Motion for Default Judgment. Dkt. 99.

18 The Court held a hearing on Plaintiff's Motion on March 12, 2025. Dkt. 105.
19 Plaintiff requested (Dkt. 102) an electronic appearance for the hearing and that was
20 approved (Dkt. 103). No Defendant appeared to the hearing. Dkt. 105. The Court continued
21 the hearing because Plaintiff's declaration lacked the required information concerning
22 compliance with applicable L.R.'s as it pertained to Bykhovsky. Plaintiff filed the
23 supplemental declaration April 16, 2025. Dkt. 106.

24 Plaintiff seeks to appear via Zoom for the hearing on this motion. Plaintiff does not
25 believe any defendant intends to appear in person. The corporate defendants cannot appear
26 without counsel, Bykhovsky is likely either in Panama or Puerto Rico, and Cuenza has
27 never appeared.

1 The basis for the electronic appearance request is primarily due to Plaintiff's work
2 schedule and location. Plaintiff lives in Bolingbrook, Illinois, a suburb of Chicago (Exhibit
3 1, Declaration of J. Rojas, "Rojas Dec'l" ¶ 5), and would need to pay for air travel to attend
4 the hearing, and miss at least one, and possibly two, days of work to attend the hearing in
5 person and arrange to make sure his work obligations are covered by another individual.
6 Rojas Dec'l ¶ 7. Plaintiff recognizes that he commenced this action in this venue, primarily
7 because he viewed it as the appropriate forum given Defendants made the telephone call
8 to Plaintiff, who has a 424 "in district" area code, while he was present within the District.
9 Prior to reassignment of this case, Plaintiff has requested electronic appearances for other
10 motions in this case which have been granted (Dkts. 54, 34).

11 Plaintiff believes good cause exists for this request due to his distance and work
12 schedule as well as the expected non-appearance of any defendant. Plaintiff believes he has
13 addressed the issue concerning compliance with the default declaration requirements as to
14 Bykhovsky but will be ready to answer the Court's questions at the hearing.

15 Plaintiff believes the parties resources would be conserved utilizing a Zoom
16 appearance, as it would reduce the expenses necessary in this case (primarily the air fare,
17 fares which range from \$300-500 as of this filing) as well as allow Plaintiff to attend the
18 hearing with minimal interruption to his work requirements and obligations. Attending
19 virtually would allow reduced interruption to Plaintiff's work obligations because of the
20 lack of need to travel. Plaintiff believes that it is unlikely any Defendant will attend the in
21 person hearing, considering that Bykhovsky has stated in the past that he is in Panama (and
22 that is what his address was listed as when he filed his motions in this case¹) and "It is
23 logistically impossible for me to address this until/unless I move back to the United States."
24 Rojas Dec'l ¶ 8. Bykhovsky has also not appeared in the motion hearing held in March.

27 ¹ Notwithstanding this statement, Plaintiff believes Bykhovsky to be in fact in Puerto
28 Rico.

1 Plaintiff believes that his motion for default judgment (and the supplemental
2 declaration) address the reasons why Plaintiff's motion should be granted and would
3 consent to a waiver of oral argument. Nevertheless, Plaintiff believes that any questions
4 the Court may have can be answered virtually via the Zoom platform with oral argument.

5 Plaintiff respectfully requests the Court allow Plaintiff to appear via Zoom for the
6 hearing. A proposed order consistent with the relief requested is included.

7 Respectfully submitted,

8 Dated: April 28, 2025.

9 /s/ Jorge Alejandro Rojas
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10 Rojas.jorge96@gmail.com
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11 557 Cambridge Way
Bolingbrook, IL 60440
12 (424) 219-1582

13 **CERTIFICATE OF SERVICE**

14 Plaintiff will mail a copy of this filing to each Defendants last known address and/or
15 registered agent via USPS Mail.

16 Dated: April 28, 2025.

/s/ Jorge Alejandro Rojas

17 **L.R. 11-6.1 CERTIFICATE OF COMPLIANCE**

18 The undersigned, Plaintiff Jorge Alejandro Rojas, certifies that this brief contains 908
19 words, based upon Microsoft Word's calculation, which complies with the word limit of
20 L.R. 11-6.1.

21 Dated: April 28, 2025.

/s/ Jorge Alejandro Rojas

22 **CERTIFICATE OF CONFERRAL**

23 Plaintiff attempted to confer with each defendant at least seven days prior to the
24 filing of this motion and did not receive a response. Specifically, Plaintiff e-mailed
25 Bykhovsky on April 14, 2025 seeking conferral on the instant request, and did not receive
26 a response. Plaintiff also mailed conferral letters to each defendants last known address on
27 April 16, 2025, and did not receive a response.

28 Dated: April 28, 2025.

/s/ Jorge Alejandro Rojas